

REMARKS

By the foregoing amendment applicant has canceled claims 1-9 and added new independent claim 10 and new dependant claims 11 through 17.

In response to the prior election of species requirement, applicant elected claims corresponding to Figure 9. Applicant continues to elect Figure 9 and new claims 10 and 17 correspond to Figure 9, but applicant asserts that new Claim 10 is generic and patentable over the prior art of record.

Specifically, Morales does not show "a panel of flexible material substantially forming an extension band of sufficient width to encircle and cover a wearer's midriff; said band having a first open end and a second open end spaced from said first open end so that said band extends below a wearer's midriff;" nor does Morales show "a trouser attachment element located at said second open end and disposed to engage the trousers worn low on the hips so as to prevent disengagement of the trousers from the hips". Applicant's invention is a wide band having elastic at the top and trouser engaging elements at the bottom. Morales does not provide the structure as claimed since the strap 28 of Morales is merely a belt with elastic and a tie string to support an apron. The remaining art of record does not cure the deficiencies of Morales.

Summary

It is believed that the claims now pending in the application define patentable subject matter over the references of record. Hence, it is asserted that the subject

application is now in condition for allowance and it is requested that the application be issued without delay.

It is believed that no additional fees are presently due. However, should that determination be incorrect, the undersigned hereby authorizes the Patent Office officials to debit Deposit Account No. 50-0562 to satisfy any and all fees which may be due and request

Dated: September 7, 2005

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. Voorhees', is written over a horizontal line.

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